

REMARKS

The present amendment is prepared in accordance with the new revised requirements of 37 C.F.R. § 1.121. A complete listing of all the claims in the application is shown above showing the status of each claim. For current amendments, inserted material is underlined and deleted material has a line therethrough.

Applicants appreciate the thoroughness with which the Examiner has examined the above-identified application. Reconsideration is requested in view of the amendments above and the remarks below.

DETAILED ACTION

Claim Rejections - 35 USC § 112

Claim 9 recites the limitation "the ends of the arms" in line 13. There is insufficient antecedent basis for this limitation in the claim.

Claim 9 has been amended and is now respectively submitted to be proper.

Claim Rejections - 35 USC § 103

Claims 1, 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,428,925 to Snyder in view of U.S. Patent No. 6,668,487 to Vesey.

The Examiner acknowledges that Snyder does not teach a polymer composite basement door comprising one or more through openings in one or both of the sidewalls and/or door leafs or other door assembly component; and one or more inserts in the through opening.

Vesey is cited to teach a basement door comprising one or more through openings (13, Fig. 1) in one or both of the sidewalls and/or door leafs (11, Fig. 1) or other door assembly component; and one or more inserts in the through opening (20, 30, Fig.1).

The Examiner concludes it would have been obvious to one of ordinary skill in the art at the time the invention was made to have created a polymer composite door with one or more through openings if such an opening was necessary in the design in order to provide a source for ventilation, light, or security measures.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,428,925 to Snyder in view of U.S. Patent No. 6,668,487 to Vesey in further view of Pub. No. US2003/0150569 A1 to Pylkki et al.

Snyder and Vesey are cited to teach the basement door of claim 1 (above), but as acknowledged by the Examiner, they do not teach a basement door wherein the insert is a screen.

Pylkki et al. teaches wherein the insert is a screen (10, 20).

The Examiner concludes it would have been obvious to one of ordinary skill in the art at the time the invention was made to have placed a screen in the opening in the door if the screen was equipped with a frame and was suitable for that purpose. Also it would

have been obvious to provide a screen in the opening in order to promote ventilation and light but to exclude insects.

Claims 1, 2, and 4 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Snyder in view of Vesey. Claim 3 has been rejected as being unpatentable over the same references and further in view of Pylkki et al.

Applicants have amended claim 1 to further define the invention and the claim now defines a polymer composite basement door which has one or more through openings in one or both of the sidewalls. The openings in the door leafs or other door assembly components have been canceled from the claim. It is respectfully submitted that claims 1-4 as now amended are properly allowable over the references.

As acknowledged by the Examiner, Snyder does not teach a polymer composite basement door comprising one or more through openings in one or both of the sidewalls. Vesey is cited to teach a basement door comprising one or more through openings and is respectfully submitted only shows an inclined cellar door having an opening in a door leaf for allowing an animal an access port through the door leaf of the inclined cellar door. There is no disclosure in either Snyder or Vesey of an opening in a sidewall of a polymer composite basement door as now claimed by Applicants.

Regarding the Pylkki et al. reference, this reference likewise does not show an opening in a sidewall of a polymer composite basement door and only shows a reduced visibility insect screening for windows and doors which is less visible than conventional insect screens. There is no disclosure in this reference for an opening in the sidewall of a basement door as now claimed by Applicants.

To summarize, only Vesey shows an opening in an inclined cellar door and this opening is in the door leaf to allow an animal access port. Applicants now claim a polymer composite basement door having one or more through openings in one or both of the sidewalls. This is different from Vesey and also patentably different because the opening in Vesey must be in the door leaf so the animal can enter and walk down the stairs. Clearly, an access port in the sidewall could not be used because the animal would enter and fall down the stairs. Accordingly there is no teaching of Applicant's invention. Further, claims 2 and 3 define a window and a screen, not a door.

Accordingly, it is respectfully submitted that amended claims 1-4 are now properly allowable over the references.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,428,925 to Snyder in view of U.S. Patent No. 2,174,989 to Lyons.

The Examiner acknowledges that Snyder does not teach a polymer composite basement door comprising one or more accessible elongated longitudinal slotted through openings in the base for fastening the base to the foundation and one or more accessible through openings in the leg for fastening the leg to the structure or to an extender. Lyons is cited to teach one or more accessible elongated longitudinal slotted through openings in the base (elongated holes in base 23, Fig. 1) for fastening the base to the foundation and one or more accessible through opening in the leg (elongated holes in leg 22, Fig. 1) for fastening the leg to the structure or to an extender.

The Examiner concludes it would have been obvious to one of ordinary skill in the art at the time the invention was made to have formed elongated slots in the base and the

legs where a connection to the foundation and structure is necessary in order to provide access space for the composite door to be able to expand and contract with difference in temperature along with providing extra space to install the composite door.

Claim 5 is directed to a polymer composite basement door which has one or more accessible elongated longitudinal slotted through openings in the base for fastening the base to the foundation and one or more accessible through openings in the leg for fastening the leg to a structure or to an extender. It is respectfully submitted that neither Snyder nor Lyons show Applicants' claimed polymer composite basement door of claim 5.

The Examiner acknowledges that Snyder does not teach a polymer composite basement door comprising one or more accessible elongated longitudinal slot through openings in the base for fastening the base to the foundation and one or more accessible through openings in the leg for fastening the leg to a structure or to an extender. Lyons is cited to teach the elongated longitudinal slotted through openings in the base citing numeral 23 of Fig. 1 for elongated holes in the base and numeral 22 in Fig. 1 for elongated holes in the leg. It is respectfully submitted that the openings shown in the base 23 or the leg 22 are not elongated longitudinal slotted through openings as claimed by Applicants but are merely openings used to secure the base and leg to the foundation. There is no disclosure of the configuration of the openings in Fig. 1 or in the patent and a view of Fig. 1 clearly shows that the openings are not elongated longitudinal slotted through openings as claimed by Applicants.

It is respectfully submitted that claim 5 is properly allowable over the references.

Allowable Subject Matter

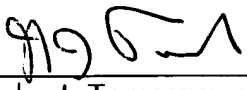
Claims 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants will rewrite claims 6-8 if the rejection of claim 5 is maintained.

Claims 9-20 are allowed.

It is respectfully submitted that the application has now been brought into a condition where allowance of the case is proper. Reconsideration and issuance of a Notice of Allowance are respectfully solicited. Should the Examiner not find the claims to be allowable, Applicants' attorney respectfully requests that the Examiner call the undersigned to clarify any issue and/or to place the case in condition for allowance.

Respectfully submitted,

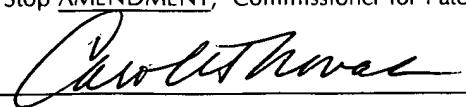


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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 2231301450.

Name: Carol M. Thomas Date: November 29, 2006 Signature: 
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